

IN THE DRAWINGS:

Attached hereto are three replacement sheets for Figs. 22-27.

REMARKS

Applicant has added new claim 12, amended the abstract and amended the figures. Applicant respectfully submits that these amendments to the claims, abstract and figures are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims, abstract and figures as amended.

The Examiner has objected to the drawings, stating that Figs. 22-27 should be labeled "Prior Art". Submitted herewith are two replacement sheets for Figs. 22-27 wherein these figures are designated "Prior Art".

The Examiner has objected to abstract of being in improper language and format. Applicant has amended the abstract to be clear and concise and to be in a single paragraph.

The Examiner has rejected claims 1, 2, 4-6 and 8-11 under 35 USC 102 as being anticipated by European Patent 1179698, stating that EU '698 teaches a gland packing material for braiding or twisting configured as a cord-like member by twisting a base member comprising a sheet like reinforcing member containing a fibrous material sheet 3, 4 and a strip like expanded graphite 2, the expanded graphite disposed on either one or two faces and from a portion to a whole of which is placed on the outside of the cord-like member and a number of openings formed in the reinforcing member, wherein the reinforcing material is steel fibers and is present both inside and outside the cord like member.

In reply thereto, Applicant has carefully reviewed EU '698 and respectfully submits that the outer periphery of the expanded graphite tape is reinforced by a reinforcing member configured by a braid or knitted cylindrical body, or it is reinforced by means of embedding plural reinforcing member such as fibers in the inside of the tape. In particular, the reinforcing members 3 are interposed between both end portions 2a and 2b in the width direction of the expanded graphite tape 2. In contrast to the structure of EU '698, in Applicant's invention the reinforcing member, in which multifilament yarns are opened in a sheet-like shape, is disposed on the expanded graphite tape surface, so as to be a layered structure. In addition, the large number of openings 20a in Applicant's invention and as shown in Fig. 2 are not merely the space between the two ends of the sheet, as in EU '698.

In view of the above, therefore, Applicant respectfully submits that EU '698 does not disclose each and every element of Applicant's invention as claimed and claims 1, 2, 4-6 and 8-12 are not anticipated thereby.

The Examiner has rejected claims 3 and 7 under 35 USC 103 as being obvious over EU '698, stating that EU '698 teaches all of the invention except for a sheet thickness of 10-300 micrometers; and it would have been obvious to one of ordinary skill in the art to utilize fibers of such a diameter.

In reply thereto, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and EU '698 and respectfully submits that EU '698 does not essentially teach all of Applicant's invention. In addition, Applicant respectfully submits that the thickness of 10-300 micrometers and the bent portions also would not be obvious to one of ordinary skill in the art. Still further, Applicant respectfully submits that the bent portions would be exposed from a surface of the cord like member as is claimed in claim 3 is not shown or suggested in EU '698.

In view of the above, therefore, Applicant respectfully submits that the combination suggested by the Examiner is not only not Applicant's invention but also not suggested by the art. Therefore, Applicant respectfully submits that claims 3 and 7 are not obvious over EU '698.

The Examiner has further rejected claims 1-10 provisionally on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 6-13 of copending application No. 10/527,626 and also provisionally rejected claims 1, 2 and 4-11 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of copending application No. 10/527,624. In response thereto, submitted herewith is a Disclaimer and Applicant respectfully requests that the nonstatutory obviousness-type double patenting rejection be withdrawn.

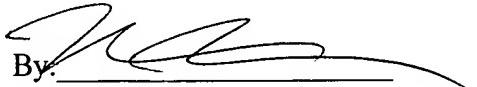
Applicant further respectfully and retroactively requests a one-month extension of time so as to respond to the Office Action. Enclosed is a check in the sum of \$120 as the fee.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment
or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT
ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

By 

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